

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OPERATING ENGINEERS HEALTH
AND WELFARE TRUST FUND, et al.,

Plaintiffs,

v.

CONCRETE AGGREGATE PRODUCTS,
INC., et al.,

Defendants.

Case No. 23-cv-03351-HSG

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION REGARDING
MOTION FOR DEFAULT JUDGMENT**

Re: Dkt. Nos. 31, 25

The Court has reviewed Magistrate Judge Tse's Report and Recommendation Re Motion for Default Judgment. Dkt. No. 31. The time for objections has passed and none were filed. The Court finds the Report correct, well-reasoned and thorough, and adopts it in every respect.

Accordingly,

IT IS HEREBY ORDERED that the Motion for Default Judgment is GRANTED. Dkt. No. 25. The Court further awards \$5,375.00 in attorneys' fees and \$1,946.94 in costs, for a total of \$7,321.94, and issues the injunctive provisions requested at Dkt. 25-7 at 1, which require Defendant to 1) promptly submit to the Audit requested by Plaintiffs for the time period December 1, 2019 through the present and provide the necessary records to complete the audit, 2) promptly submit to Plaintiffs their contribution reports and payment thereon for the months July 2021 through the present plus liquidated damages and interest thereon in accordance with Defendants' collective bargaining agreements and the Trust Agreements for the Plaintiff trust Funds.

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1 The undersigned will retain jurisdiction over this matter to allow the trustees to amend the
2 judgment to include amounts found due after the audit. The Clerk shall enter judgment against
3 Defendants and in favor of Plaintiffs in accordance with the Report and Recommendation and
4 close the file.

5 **IT IS SO ORDERED.**

6 Dated: 8/16/2024

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9 HAYWOOD S. GILLIAM, JR.
10 United States District Judge
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